

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

DIANA D. THOMAS
ADC #716776

PLAINTIFF

v.

Case No. 4:20-cv-00151 KGB-JJV

BILLY W. INMAN, *et al.*

DEFENDANTS

ORDER

Before the Court are the Proposed Findings and Recommendations submitted by United States Magistrate Judge Joe J. Volpe (Dkt. No. 8). Plaintiff Diana D. Thomas filed a notice, which this Court interprets as objections to the Proposed Findings and Recommendations (Dkt. No. 10). After careful review of the Proposed Findings and Recommendations and Ms. Thomas' objections, as well as a *de novo* review of the record, the Court adopts the Proposed Findings and Recommendations as its findings in all respects (Dkt. No. 8). Ms. Thomas' objections restate assertions raised in her complaint, and the Court in conducting its *de novo* review has carefully considered those assertions (Dkt. Nos. 2, 10). The Court has adopted Judge Volpe's analysis and reasoning as its own; the Court will not repeat that analysis here. For these reasons, the Court adopts the Proposed Findings and Recommendations as its findings in all respects (Dkt. No. 8).

It is therefore ordered that:

1. Ms. Thomas may proceed with her retaliation claim against defendants Billy W. Inman and Joyce M. Johnson in their individual capacities.
2. The Court dismisses with prejudice Ms. Thomas' claims for money damages against all defendants in their official capacities.
3. The Court dismisses without prejudice Ms. Thomas' claims for injunctive relief, given where she is currently housed.

4. The Court dismisses without prejudice Ms. Thomas' failure to protect claims and equal protection claims for failure to state a claim upon which relief may be granted.

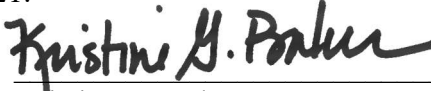
5. The Court dismisses without prejudice Ms. Thomas' deliberate indifference to medical needs claims as improperly joined in this case; Ms. Thomas may pursue these claims in a separately filed action, if she chooses to do so.

6. The Court dismisses without prejudice Ms. Thomas' prison policy claims and access to the court claims for failure to state a claim upon which relief may be granted.

7. Defendants Denese Voss, Gordon, UAMS Angels, Officer Reemes, and Sergeant Wachuka are dismissed from this action.

8. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

It is so ordered this 19th day of January, 2021.



Kristine G. Baker
United States District Judge